

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

IN RE: NATIONAL PRESCRIPTION  
OPIATE LITIGATION

*This document relates to:*

*All Cases Noted on Attached Exhibit A*

MDL No. 2804

Case No. 1:17-md-2804

JUDGE DAN AARON POLSTER

**SECOND MASTER STIPULATION AND ORDER  
DISMISSING WITH PREJUDICE CLAIMS  
PURSUANT TO KROGER SETTLEMENT AGREEMENT**

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel of record for the Plaintiff Subdivisions identified in Appendix A (collectively, the “Dismissing Plaintiffs”) and Defendant The Kroger Co., (“Kroger”)<sup>1</sup> that, pursuant to the election of each Dismissing Plaintiff to participate in the Kroger Settlement Agreement, which is dated March 22, 2024, and is binding on the Dismissing Plaintiffs and Kroger, and which has an Effective Date of December 30, 2024 (a copy of which is attached as Appendix B), all claims of each Dismissing Plaintiff against Kroger, including any entity identified on the attached Appendix C, are hereby voluntarily **DISMISSED WITH PREJUDICE**, with each party to bear its own costs. The Court shall retain jurisdiction with respect to the Kroger Settlement Agreement to the extent provided under that Agreement.<sup>2</sup>

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<sup>1</sup> The Released Entities are set forth in Section I.MMM and Exhibit J of the Kroger Settlement Agreement, dated as of March 22, 2024, a copy of which is attached as Appendix B.

<sup>2</sup> To the extent any Plaintiff Subdivision is inadvertently included on Appendix A, the Court retains jurisdiction to hear those disputes. In advance of raising any such issue with the Court, the Plaintiff Subdivision must meet and confer with defense counsel and Plaintiffs’ Liaison Counsel.

Dated: May 22, 2025

Respectfully submitted,

Agreed as to form and substance:

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*Attorneys for Defendant Kroger Co.*

SO ORDERED this 23rd day of May, 2025.

/s/Dan Aaron Polster

Hon. Dan Aaron Polster

United States District Judge

**CERTIFICATE OF SERVICE**

I hereby certify that on May 22, 2025, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF system. Copies will be served upon counsel of record by, and may be obtained through, the Court CM/ECF system.

/s/Peter H. Weinberger

Peter H. Weinberger